

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

August 27, 2001

Court convened at 10:00 a.m.

Present: The Honorable Judith Haller, Acting Presiding Justice, and The Honorable Associate Justices
Alex McDonald and Terry O'Rourke
Clerk: D. E. Moore

D037516 In re Adrian Nicholas G., a Juvenile
D037835 John R. v. Superior Court

Cause called on merits. Julie E. Braden, Esq. argued for appellant. Suzanne Evans, Esq. argued for respondent, mother. Kathryn Krug, Deputy County Counsel argued for respondent. Robert W. Gehring, Esq. argued for Adrian G. Ms. Braden replied. Cause submitted.

D037605 In re Elaina N., a Juvenile

Cause called on merits. Donna Kaiser, Esq. argued for appellant. Gary Seiser, Deputy County Counsel argued for respondent. Andrea St. Julian, Esq. argued for Elaina N. Ms. Kaiser replied. Cause submitted.

D037796 In re Mishelle E., et al., Juveniles

Cause called on merits. Gary Seiser, Deputy County Counsel argued for appellant. Neil Tropp, Esq. argued for respondent. Suzanne Evans, Esq. argued for Mishelle E. Mr. Seiser replied. Cause submitted.

Court adjourned at 11:25 a.m.

D037805 Hess v. Superior Court of San Diego County/Hess

The petition for writ of mandate is granted. Let a writ of mandate issue directing respondent to vacate the restraining order against Laura issued on March 26, 2001. The temporary restraining order shall be reinstated upon this decision becoming final and a hearing on the order to show cause as to why a permanent restraining order should not issue shall be set within 25 days thereafter. Costs are awarded to petitioner. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D037620 In re the Marriage of Alba

The order denying Elena's motion to modify the custody order is affirmed. Haller, J.;
We Concur: Benke, Acting P.J., Huffman, J.

D034936 Hall v. Regents of the University of California et al.

The judgment is reversed. Hall shall recover his costs on appeal. O'Rourke, J.;
We Concur: Haller, Acting P.J., McDonald, J.

D035846 People v. Bennett

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

D037996 In re Leslie C., et al., Juveniles

The appeal is dismissed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

August 27, 2001 (continued)

D038338 Santos L., et al., v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.

The attorney for petitioner Santos L. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D038153 In re B.G., a Juvenile

The appeal is dismissed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D037987 In re Michelle M., a Juvenile

The appeal is dismissed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D037798 In re David T., a Juvenile

The appeal is dismissed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

August 28, 2001

D036394 McDonald et al. v. Beech Tower Community Association et al.

The judgment is affirmed. Respondents shall recover their costs on appeal. Nares, J.;
We concur: Kremer P.J., Haller, J.

D034533 Wohl v. Flynn, Sheridan & Tabb et al.

The petition for rehearing is denied.

D035887 People v. Thammavong

The order is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

D036216 People v. Lucero

The appeal is dismissed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D034739 People v. Barker

The judgment is modified to delete reference to a parole revocation fine. In all other respects, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect the modification and to forward the amended abstract to the Department of Corrections. CERTIFIED FOR PARTIAL PUBLICATION. Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D035932 People v. Ackles

The judgment is affirmed as modified to stay the sentence imposed on count 3. The trial court is directed to amend the abstract of judgment to reflect the modification and to forward the amended abstract to the Department of Corrections. Huffman, J.; We Concur: Benke, Acting P.J., Nares, J.

D037604 In re Brianna R., a Juvenile

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

D037063 People v. Alexander

Affirmed as modified. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D037062 People v. Kapuscinski

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Benke, J.

D038533 Adler v. Superior Court of San Diego County/Harris

The petition is denied.

D037608 In re Michael B., et al., Juveniles

The opinion filed August 23, 2001 is modified to include the signature of Associate Justice Huffman. There is no change in judgment.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
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August 29, 2001

D038593 Abney v. Superior Court of San Diego County/People
The petition is denied.

D038583 Rancho Santa Fe Association v. Superior Court of San Diego County/Dolan-King
The petition is denied.

D038094 In re Gilhousen on Habeas Corpus
The petition is denied.

D038552 In re the Marriage of Ramos and Salceda
The appeal is dismissed pursuant to California Rules of Court, rule 10c.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

August 30, 2001

D038398 In re Geffen on Habeas Corpus

The petition is denied without prejudice to refiling if Geffen is dissatisfied after he has exhausted his administrative remedies.

D034887 People v. Hoehner

The judgment is affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., McDonald, J.

D036752 Huffman v. Del Mar Villas Community Association et al.

The order awarding defendants attorney fees of \$11,781 is affirmed. McDonald, J.;
We Concur: Benke, Acting P.J., Huffman, J.

**D038582 Van Maren Construction (1984) Inc. v. The Superior Court of San Diego
County/Fountains La Jolla Limited Partnership et al.**

The petition is denied.

D038588 International Wood Products et al. v. Superior Court of San Diego County/Lee

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
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August 31, 2001

D038661 Pettit v. The Superior Court of San Diego County/The People
The petition is denied.

D038669 Estrada v. Superior Court of San Diego County/People
The petition is denied.